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PTO/SB/80 (04-05)
Approved for use through 11/30/2006. OMB 0551-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

26111

OR

☐ Practitioner(s) named below (If more than ten patent practitioners are to be named, then a customer number must be used):

| Name | Registration Number | Name | Registration Number |
|------|---------------------|------|---------------------|
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as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

26111

OR

| | | | |
|--|-------|-----|--|
| <input type="checkbox"/> Firm or Individual Name | | | |
| Address | | | |
| City | State | Zip | |
| Country | | | |
| Telephone | Email | | |

Assignee Name and Address:

Innovatech Surgical, Inc.
1000 Atlantic Ave.,
Camden, NJ, 08104

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/98 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

| | | |
|---|-------------------------|------------------------|
| SIGNATURE of Assignee of Record | | |
| The individual whose signature and title is supplied below is authorized to act on behalf of the assignee | | |
| Signature | | Date |
| Name | MICHAEL J. MCGOWAN, SR. | 3/16/06 |
| Title | PRESIDENT | Telephone 609-865-8001 |

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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507,488



PTO/SB/98 (12-05)
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STATEMENT UNDER 37 CFR 3.73(b)

2492.0010001

Applicant/Patent Owner: Michael MCGOWAN, et al.

Application No./Patent No./Control No.: 10/765,350 Filed/Issue Date: January 27, 2004

Entitled:

ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY

Innovatech Surgical, Inc.

a Corporation

(Name of Assignee)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

MICHAEL J. MCGOWAN, Sr.

Signature

Printed or Typed Name

PRESIDENT

Title

3/16/04

Date

409-865-8001

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

507,482

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ASSIGNMENT

For value received, the receipt and sufficiency of which is hereby acknowledged, we, Michael J. McGowan, Sr., of the City of Barrington and State of New Jersey, Charles R. Hurst, Jr. of the City of Bullard, and State of Texas, Harry Michael Lambert, M.D., of the City of Houston, and State of Texas and Christopher F. Lumpkin, of the City of Evergreen, and State of Colorado hereby sell, assign and transfer to Innovatech Surgical, Inc., a corporation of the State of New Jersey, having an office at 1000 Atlantic Avenue, Camden, NJ 08007, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to ADJUSTABLE LASER PROBE FOR USE IN VITREORETINAL SURGERY described in U.S. Patent Application Nos. 60/444,060 filed January 31, 2003, 10/765,350, filed January 27, 2004 and 11/035,694 filed January 14, 2005, and all the rights and privileges in said applications and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Innovatech Surgical, Inc. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Innovatech Surgical, Inc. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Innovatech Surgical, Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

Patent

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Docket No. P26,630-B USA

We request that any and all patents for said inventions be issued to Innovatech Surgical, Inc. in the United States and in all countries foreign to the United States, or to such nominees as Innovatech Surgical, Inc. may designate.

We agree that, when requested, we shall, without charge to Innovatech Surgical, Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

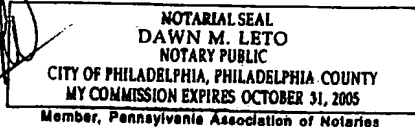
Date: 3/18/05 3/18/05



Michael J. McGowan, Sr.

State of NJ
County of Camden

) ss:
)



On this 18 day of MARCH, 2004, before me personally came Michael J. McGowan, Sr., known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

Date: _____

Charles R. Hurst, Jr.

State of _____
County of _____

) ss:
)

On this _____ day of _____, 200____, before me personally came Charles R. Hurst, Jr., known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

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Patent

**DO NOT FORWARD
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Docket No. P26,630-B USA

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We agree that, when requested, we shall, without charge to Innovatech Surgical, Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Date: _____

Michael J. McGowan, Sr.

State of _____
County of _____

) ss:
)

On this _____ day of _____, 200__, before me personally came Michael J. McGowan, Sr., known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

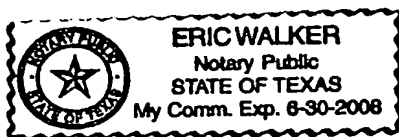
Date: 3/19/2005

Charles R. Hurst, Jr.
Charles R. Hurst, Jr.

State of Texas
County of Smith

) ss:
)

On this 19th day of March, 2005, before me personally came Charles R. Hurst, Jr., known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



Eric Walker
Notary Public

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Patent

Docket No. P26,630-B USA

Date: 3/19/05


Harry Michael Lambert, M.D.

State of _____
County of _____

) ss:
)

On this _____ day of _____, 200__, before me personally came Harry Michael Lambert, M.D., known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

Date: _____

Christopher F. Lumpkin

State of _____
County of _____

) ss:
)

On this _____ day of _____, 200__, before me personally came Christopher F. Lumpkin, known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

**DO NOT FORWARD
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Patent

**DO NOT FORWARD
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Docket No. P26,630-B USA

Date: _____

Harry Michael Lambert, M.D.

State of _____

) ss:

County of _____

)

On this _____ day of _____, 200__, before me personally came Harry Michael Lambert, M.D., known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Notary Public

Date: 3-19-05

Christopher F. Lumpkin
Christopher F. Lumpkin

State of Colorado

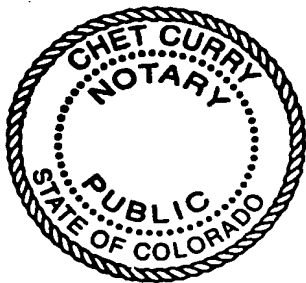
) ss:

County of Jefferson

)

On this 19 day of March, 2005, before me personally came Christopher F. Lumpkin, known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.

Chet Curry
Notary Public



My Commission Expires
02/04/2009

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